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DATE: August 15, 2003

FILE: ESPD:200

TO: Examiner Scott Bushey, Group Art Unit 1724

COMPANY: United States Patent and Trademark Office

FAX NO.: 703-872-9310

FROM: Mark L. Gleason

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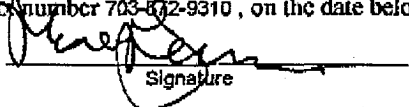
COMMENTS:

Serial Number 10/087,554

Response to office action

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Rhea et al

Serial No.: 10/087,554

Confirmation No.: 2143

Filed: March 1, 2002

For: DEVICE AND METHOD FOR
INDICATING THE AMOUNT OF
WATER CONTAINED IN A
HUMIDIFIER WATER BOTTLE

Group Art Unit: 1724

Examiner: Bushey

Atty. Dkt. No.: ESPD:200
(10872.0200.NPUS00)

OFFICIAL

RESPONSE TO OFFICE ACTION DATED JULY 16, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is submitted as a response to the office action dated July 16, 2003. Reconsideration of the application is respectfully requested. The Commissioner is authorized to deduct any fees required for any reason relating to this paper under 37 C.F.R. §§1.16 to 1.21 from Howrey Simon Arnold & White Deposit Account No. 01-2508, Order No. 10872.0200.NPUS00.

Please associate this application with customer number 26720

ELECTION/RESTRICTION

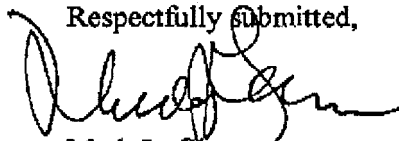
This paper responds to the office action mailed April 22, 2003 ("the office action"). The applicants respectfully request reconsideration of the present application in light of the following remarks.

Sections 1-4 of the office action alleged that the application contains claims directed to 8 patentably distinct species of the claimed invention (Species A-H). The office action further required election of a single species for prosecution on the merits.

In response to the election requirement, Applicants elect Species A, corresponding to Figure 2. Claims 1, 2, 5, 11, 12 and 15 are believed to be readable on the elected species. The office action noted that claims 1 and 15 appear to be generic, and further states that applicant is entitled to consideration of claims to additional species that are written in dependent form or otherwise include all the limitations of an allowed generic claim.

The Examiner is invited to contact the undersigned attorney at 952.474.3701 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,



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Date:

8/15/03

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